

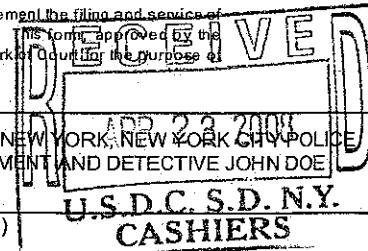
Judge Hellerstein

08 CV 3848

JS 44C/SDNY
REV. 12/2005

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.



PLAINTIFFS ZAMIRA CARDENAS

DEFENDANTS CITY OF NEW YORK, NEW YORK CITY POLICE
DEPARTMENT AND DETECTIVE JOHN DOE

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Alan A. Tarzy, Esq. 275 Madison Avenue, Suite 1100,
New York, NY 10016 (212)370-9000

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

False arrest and unlawful imprisonment resulting in violation of plaintiff's civil rights under 22 USC § 2201, 42 USC § 1981, 1983, 1985, 1986 & 1988.

Has this or a similar case been previously filed in SDNY at any time? No Yes? Judge Previously AssignedIf yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
	PERSONAL INJURY	PERSONAL INJURY		
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 610 AGRICULTURE	<input type="checkbox"/> 1422 APPEAL	<input type="checkbox"/> 1400 STATE
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 620 FOOD & DRUG	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> REAPPORTIONMENT
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 1423 WITHDRAWAL	<input type="checkbox"/> 1410 ANTITRUST
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 1430 BANKS & BANKING
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 1450 COMMERCE/ACC RATES/ETC
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> 630 LIQUOR LAWS	<input type="checkbox"/> PROPERTY RIGHTS	<input type="checkbox"/> 1460 DEPORTATION
<input type="checkbox"/> 152 RECOVERY OF DEFECTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 640 RR & TRUCK LIABILITY	<input type="checkbox"/> 1820 COPYRIGHTS	<input type="checkbox"/> 1470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 1830 PATENT	<input type="checkbox"/> 1480 CONSUMER CREDIT
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 660 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 1840 TRADEMARK	<input type="checkbox"/> 1490 CABLE/SATELLITE TV
<input type="checkbox"/> 190 OTHER CONTRACT	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> SOCIAL SECURITY	<input type="checkbox"/> 1810 SELECTIVE SERVICE
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY			<input type="checkbox"/> 1861 MIA (1395FF)	<input type="checkbox"/> 1850 SECURITIES/ COMMODITIES/ EXCHANGE
<input type="checkbox"/> 196 FRANCHISE			<input type="checkbox"/> 1862 BLACK LUNG (923)	<input type="checkbox"/> 1875 CUSTOMER CHALLENGE
	ACTIONS UNDER STATUTES		<input type="checkbox"/> 1863 DIWC (405(g))	<input type="checkbox"/> 12 USC 3410
			<input type="checkbox"/> 1864 SSID TITLE XVI	<input type="checkbox"/> 1891 AGRICULTURE ACTS
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 1865 RSI (405(g))	<input type="checkbox"/> 1892 ECONOMIC STABILIZATION ACT
			<input type="checkbox"/> 1710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 1893 ENVIRONMENTAL MATTERS
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 1720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 1870 TAXES	<input type="checkbox"/> 1894 ENERGY ALLOCATION ACT
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 1730 LABOR/MGMT REPORTING & DISCLOSURE ACT	<input type="checkbox"/> 1871 IRS-THIRD PARTY	<input type="checkbox"/> 1895 FREEDOM OF INFORMATION ACT
<input type="checkbox"/> 230 RENT LEASE & EJECTION	<input type="checkbox"/> 443 HOUSING ACCOMMODATIONS	<input type="checkbox"/> 1740 RAILWAY LABOR ACT	<input type="checkbox"/> 20 USC 7609	<input type="checkbox"/> 1900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 444 WELFARE	<input type="checkbox"/> 1790 OTHER LABOR LITIGATION		<input type="checkbox"/> 1950 CONSTITUTIONALITY OF STATE STATUTES
<input type="checkbox"/> 246 TORT PRODUCT LIABILITY	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 1791 EMPL RET INC SECURITY ACT		<input type="checkbox"/> 1890 OTHER STATUTORY ACTIONS
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER			
		<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE		
		<input type="checkbox"/> 530 HABEAS CORPUS		
		<input type="checkbox"/> 535 DEATH PENALTY		
		<input type="checkbox"/> 540 MANDAMUS & OTHER		
		<input type="checkbox"/> 550 CIVIL RIGHTS		
		<input type="checkbox"/> 555 PRISON CONDITION		

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ 1,000,000.00 OTHER

JUDGE

DOCKET NUMBER

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN *x* IN ONE BOX ONLY)

ORIGIN

1 Original Proceeding 2a. Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from (Specify District) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judge Judgment

2b. Removed from State Court
AND at least one party is a pro se litigant

(PLACE AN *x* IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE

CITIZENSHIP BELOW.

(28 USC 1332, 1441)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION (U.S. NOT A PARTY) DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an *X* in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2	DEF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4	DEF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	DEF <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6
CITIZEN OF ANOTHER STATE	<input checked="" type="checkbox"/> 2 <input type="checkbox"/> 12		INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 14		FOREIGN NATION	<input type="checkbox"/> 6 <input type="checkbox"/> 16	

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Zamira Cardenas
121 West 15th Street
Bayonne, New Jersey 07002
County of Hudson

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

City of New York 1 Centre Street New York, NY 10007 County of New York	NYC Police Department 1 Police Plaza New York, NY 10007 County of New York	Detective John Doe Manhattan Midtown South Precinct 357 West 36th Street New York, NY 10001 County of New York
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DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS FOLEY SQUARE
(DO NOT check either box if this a PRISONER PETITION.)

DATE 04/23/2008 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[x] YES (DATE ADMITTED Mo. 12 Yr. 1979)
Attorney Bar Code # AAT 2437RECEIPT # 04/23/2008

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge J Michael McMahon is so Designated.J Michael McMahon, Clerk of Court by J Michael McMahon, Deputy Clerk, DATED 04/23/2008

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

ZAMIRA CARDENAS

V.

THE CITY OF NEW YORK, NEW YORK
 CITY POLICE DEPARTMENT and DETECTIVE
 JOHN DOE an unidentified police officer employed by the City of New York and the NYC Police Department in its official and individual capacities

SUMMONS IN A CIVIL ACTION
08 CV 3848

Judge Hellerstein

TO: (Name and address of Defendant)

CITY OF NEW YORK
 1 Centre Street
 New York, NY 10007

NYC Police Department
 1 Police Plaza
 New York, NY 10007

Detective John Doe
 Manhattan Midtown South
 357 West 35th Street
 New York, NY 10001

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Law Offices of Alan A. Tarzy
 275 Madison Avenue, Suite 1100
 New York, NY 10016

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

DATE

APR 23 2008

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____	Date _____	Signature of Server _____
Address of Server _____		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Judge ~~HAROLD S. HARRIS~~
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

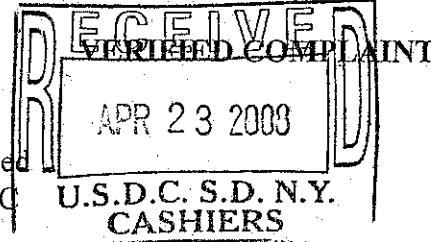
ZAMIRA CARDENAS

08 CV 3848
Index No.

Plaintiff(s),

- against -

THE CITY OF NEW YORK, NEW YORK CITY POLICE
DEPARTMENT and DETECTIVE JOHN DOE an unidentified
police officer employed by the City of New York and the NYC
Police Department in its official and individual
capacities



Defendants.

X

Plaintiff, by her attorney, Alan A. Tarzy, Esq, complaining of the Defendants, respectfully alleges, upon information and belief, as follows:

JURISDICTIONAL STATEMENT

1. This action arises under § 1983 and §1981 of Title 42 of the United States Code, the United States Constitution and the Bill of Rights. This Court is vested with Jurisdiction pursuant to §1343(a)(3) and §1331 of Title 28 of the United States Code.

2. This Court is vested with Supplemental Jurisdiction over any and all States causes of action pursuant to §1367 of the United States Code.

3. At all times herein mentioned, Plaintiff was, and still is, as resident of the County of Hudson, State of New Jersey which lies within the District of New Jersey.

4. That at all dates and times mentioned herein, DETECTIVE "JOHN DOE", an unidentified person, was and is a detective-employee of the defendants **CITY OF NEW YORK** and **NEW YORK CITY POLICE DEPARTMENT** (hereinafter **CITY** and **NYPD**) and resides within the State of New York.

5. That at all dates and times mentioned herein, the Defendant, **CITY**, was a municipal corporation duly organized under and by virtue of the laws of the State of New York and employed and still employs **DETECTIVE JOHN DOE**.

6. That at all dates and times mentioned herein, the Defendant, **NYPD**, was a municipal corporation duly organized under and by virtue of the laws of the State of New York.

7. That at all dates and times mentioned herein, the Defendant, **CITY**, maintained its principal place of business in the County of New York, State of New York, which is located in the Southern District of New York.

8. That at all dates and times mentioned herein, the Defendant, **NYPD**, maintained its principal place of business in the County of New York, State of New York, which is located in the Southern District of New York.

STATEMENT OF VENUE

9. Venue is proper in this action pursuant to 1391(b)(3) of the United States Code, as defendant(s), **CITY and/or NYPD**, maintain its offices in the Southern District of New York.

NOTICE OF CLAIM

10. That on or about March 13, 2007 the plaintiff duly served upon defendants, **CITY**, a Notice of Claim in writing setting forth the name and post office address of claimant and her attorney, the nature of the claim, the time when, the place where and the manner in which the claim arose and the items of damage or injuries claimed;

11. More than 30 days have elapsed since the demand and/or claim upon

which this action is predicated against the defendant was presented to **CITY** for adjustment and/or payment thereof, and it has neglected and/or refused to make any adjustment and/or payment;

12. That the plaintiff gave testimony at a hearing held on December 20, 2007 by the defendant, **CITY**;

13. That no physical examination of the plaintiff was requested by the defendant, **CITY**;

14. That this action is being commenced within one year and ninety days of the date of the occurrence herein;

STATEMENT OF FACTS

15. That on January 25, 2007 at or about 2:00 A.M., Plaintiff, **ZAMIRA CARDENAS**, was lawfully and properly at the Scores nightclub, working as a dancer, located at 528 West 28th Street, New York, NY, County of New York, City and State of New York.

16. That on January 25, 2007 at or about the said address, the defendants, **CITY**, its agents, servants and/or employees to wit, **THE POLICE DEPARTMENT OF THE CITY OF NEW YORK and DETECTIVE JOHN DOE**, under the color of State Law, acting pursuant to the policies and practices set by the executive and/or legislative branches of the government of defendant, **CITY**, while engaging in a pattern of behavior condoned and/or permitted by the executive and/or legislative branches of the government of defendant, **CITY**, and while in the furtherance of their duties as police officers, carelessly, recklessly, negligently and without conducting a proper investigation apprehended, arrested and/or took into custody the Plaintiff **ZAMIRA CARDENAS** on prostitution related charges.

17. Subsequent to plaintiff's arrest and/or confinement to a correctional facility, defendant, **CITY**, its agents, servants and/or employees to wit, **THE POLICE DEPARTMENT OF THE CITY OF NEW YORK** publicized the arrest of plaintiff and released details of her arrest to members of the media, including plaintiff's name and address and that charges against plaintiff were related to prostitution.

18. On and after January 25, 2007, details of plaintiff's arrest and her name and address appeared in various media publications and venues.

19. Plaintiff, **ZAMIRA CARDENAS**, sustained serious mental and emotional injuries as a result of the false arrest and imprisonment by the Defendant(s).

**AS AND FOR A FIRST CAUSE OF ACTION ON
BEHALF OF ZAMIRA CARDENAS**

20. Plaintiff(s) repeat, re-allege and reiterate each and every allegation set forth in Paragraph(s) "1" through "19" as if fully set forth herein.

21. That on January 25, 2007, Defendant(s), **CITY AND NYPD**, by its executive and/or legislative branch of government did violate the civil rights and civil liberties of the Plaintiff, **ZAMIRA CARDENAS**, in violation of Title 42 U.S.C. §1983 and §1981 *et seq.*, the United States Constitution and Bill of Rights.

22. That the above-mentioned violation(s) occurred pursuant to a policy and/or practice, both active and passive, established by the executive and/or legislative branch of the government of Defendant, **CITY**, which directed, encouraged and/or condoned the agents', servants' and/or employees' of the Defendant **NYPD** to falsely and without probable cause or warrant, arrest and imprison the citizens of the State of New York including Plaintiff, **ZAMIRA CARDENAS**.

23. That in addition to the personal injuries, both physical and mental as herein before alleged, the plaintiff was humiliated, suffered emotional injuries and was severely traumatized.

24. That as a result of the injuries aforesated, plaintiff demands compensatory damages.

25. That as a result of the acts of the defendant(s), their agents, servants and/or employees, plaintiff also demands punitive damages and reasonable attorney's fees.

AS AND FOR A SECOND CAUSE OF ACTION
ON BEHALF OF ZAMIRA CARDENAS

26. Plaintiff(s) repeat, re-allege and reiterate each and every allegation set forth in Paragraph(s) "1" through "25" as if fully set forth herein.

27. That on January 25, 2007, Defendant, **DETECTIVE JOHN DOE**, while acting under the color of State Law and while in the furtherance of their duties as police officers, acting pursuant to the policies and practices set by the executive and/or legislative branches of the government of their employer, defendant, **CITY and NYPD**, and while engaging in a pattern of behavior condoned and/or permitted by the executive and/or legislative branches of the government of defendant, **CITY**, did knowingly violate the civil rights and civil liberties of the Plaintiff, **ZAMIRA CARDENAS**, in violation of Title 42 U.S.C. §1983 and §1981 *et seq.*, the United States Constitution and Bill of Rights.

28. That the above-mentioned violation(s) occurred while Defendant **DETECTIVE JOHN DOE** was following a policy and/or practice established by the executive and/or legislative branches of the government of their employer, defendant, **CITY and NYPD**, which directed, encouraged and/or condoned the agents', servants' and/or employees' of the

Police Department of the City of New York to falsely and without probable cause or warrant, arrest and imprison the citizens of the State of New York including Plaintiff, **ZAMIRA CARDENAS.**

29. That in addition to the personal injuries, both physical and mental as herein before alleged, the plaintiff was humiliated, suffered emotional injuries and was severely traumatized.

30. That as a result of the injuries, plaintiff demands compensatory damages.

31. That as a result of the acts of the defendant(s), their agents, servants and/or employees, plaintiff also demands punitive damages and reasonable attorney's fees.

AS AND FOR A THIRD CAUSE OF ACTION
ON BEHALF OF ZAMIRA CARDENAS

32. Plaintiff, **ZAMIRA CARDENAS**, repeats, re-alleges and reiterates each and every allegation in Paragraphs "1" through "31" as if fully set forth herein.

33. That on January 25, 2007 the defendant(s) **CITY, NYPD and DETECTIVE JOHN DOE**, their agents, servants and/or employees in furtherance of their business as Police Officers and acting within the scope of their employment, falsely and without probable cause or warrant, arrested and imprisoned the Plaintiff, **ZAMIRA CARDENAS**.

34. That as a result of the act of the defendants(s), **CITY, NYPD and DETECTIVE JOHN DOE**, their agents, servants and/or employees, the Plaintiff **ZAMIRA CARDENAS** sustained serious emotional damages as set forth in the first three (3) cause(s) of action and other injuries.

35. That in addition to the personal injuries, both physical and mental as

herein before alleged, the plaintiff was humiliated, suffered emotional injuries and was severely traumatized.

36. That as a result of the injuries, plaintiff demands compensatory damages.

37. That as a result of the acts of the defendant(s), their agents, servants and/or employees, plaintiff also demands punitive damages and reasonable attorney's fees.

AS AND FOR A FOURTH CAUSE OF ACTION
ON BEHALF OF ZAMIRA CARDENAS

38. Plaintiff, **ZAMIRA CARDENAS**, repeats, re-alleges and reiterates each and every allegation in Paragraphs "1" through "37" as if fully set forth herein.

39. That on January 25, 2007, the Defendant(s) **CITY, NYPD AND DETECTIVE JOHN DOE**, their agents, servants and/or employees in furtherance of their business as Police Officers and acting within the scope of their employment, carelessly, recklessly, negligently and without proper investigation, falsely and without probable cause or warrant, arrested and imprisoned the Plaintiff, **ZAMIRA CARDENAS**.

40. That as a result of the act of the defendants(s), **CITY, NYPD and DETECTIVE JOHN DOE**, their agents, servants and/or employees, the Plaintiff **ZAMIRA CARDENAS** sustained serious emotional damages as set forth in the above.

41. That in addition to the personal injuries, both physical and mental as herein before alleged, the plaintiff was humiliated, suffered emotional injuries and was severely traumatized.

42. That as a result of the injuries, plaintiff demands compensatory damages.

43. That as a result of the acts of the defendant(s), their agents, servants and/or employees, plaintiff also demands punitive damages and reasonable attorney's fees.

AS AND FOR A FIFTH CAUSE OF ACTION
ON BEHALF OF ZAMIRA CARDENAS

44. Plaintiff, **ZAMIRA CARDENAS**, repeats, re-alleges and reiterates each and every allegation in Paragraphs "1" through "43" as if fully set forth herein.

45. That on January 25, 2007, the Defendants, **CITY, NYPD and DETECTIVE JOHN DOE**, conspired to and did violate the civil rights and civil liberties of the Plaintiff, **ZAMIRA CARDENAS** in violation of the statutes, laws, rules and regulations of the State of New York, including but not limited to the New York State Constitution.

46. That the violation of the Plaintiff, **ZAMIRA CARDENAS'** civil rights resulted from the false arrest and imprisonment by the Defendant(s), **CITY, NYPD and DETECTIVE JOHN DOE**, their agents, servants and/or employees of **ZAMIRA CARDENAS** in violation of said law (s).

47. That in addition to the personal injuries, both physical and mental as herein before alleged, the plaintiff was humiliated, suffered emotional injuries and was severely traumatized.

48. That as a result of the injuries, plaintiff demands compensatory damages.

49. That as a result of the acts of the defendant(s), their agents, servants and/or employees, plaintiff also demands punitive damages and reasonable attorney's fees.

AS AND FOR A SIXTH CAUSE OF ACTION
ON BEHALF OF ZAMIRA CARDENAS

50. Plaintiff, **ZAMIRA CARDENAS**, repeats, re-alleges and reiterates each and every allegation in Paragraphs "1" through "43" as if fully set forth herein.

51. That on January 25, 2007, Defendant(s), **CITY, NYPD and DETECTIVE JOHN DOE**, while acting under the color of State Law and while in the furtherance of their duties as police officers, acting pursuant to the policies and practices set by the executive and/or legislative branches of the government of their employer, defendants, **CITY and NYPD**, and while engaging in a pattern of behavior condoned and/or permitted by the executive and/or legislative branches of the government of defendant, **CITY**, did knowingly violate the civil rights and civil liberties of the Plaintiff, **ZAMIRA CARDENAS**, in violation of Title 42 U.S.C. §1983 and §1981 *et seq.*, the United States Constitution and Bill of Rights.

52. That the above-mentioned conspiracy occurred while Defendant **DETECTIVE JOHN DOE** was following a policy and/or practice established by the executive and/or legislative branches of the government of their employer, defendant, **CITY and NYPD** which directed, encouraged and/or condoned the agents', servants' and/or employees's of the Police Department of the City of New York to violently, falsely and without probable cause or warrant, arrest, imprison, assault and batter the citizens of the State of New York, including Plaintiff, **ZAMIRA CARDENAS**.

53. That in addition to the personal injuries, both physical and mental as herein before alleged, the plaintiff was humiliated, suffered emotional injuries and was severely traumatized.

54. That as a result of the injuries, plaintiff demands compensatory damages in an amount to be demanded at trial, but not less than One Million (\$1,000,000.00) Dollars.

Yours, etc.

A handwritten signature in black ink, appearing to read "alan a tarzy".

Alan A. Tarzy, Esq. (AAT 2437)

Law Offices of Alan A. Tarzy

Attorney for Plaintiff

275 Madison Avenue, Suite 1100

New York, New York 10175

(212) 370-9000

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Docket No.:

-----X
ZAMIRA CARDENAS

JURY DEMAND

Plaintiff(s),

-against-

THE CITY OF NEW YORK, NEW YORK CITY POLICE
DEPARTMENT and DETECTIVE JOHN DOE an
unidentified police officer employed by
the City of New York and the NYC
Police Department in its official and
individual capacities

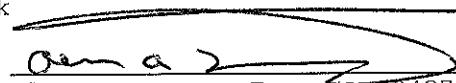
Defendant(s).

-----X

To the above named Defendant(s):

Please take notice that Plaintiff(s) Demand that all issues in this case
be tried by a jury.

Dated: New York, New York
April 22, 2008

Open a 
Alan A. Tarzy, Esq. (AT-2437)
Law Offices of Alan A. Tarzy
Attorneys for Plaintiff(s)
ZAMIRA CARDENAS
275 Madison Avenue Suite 1100
New York, New York 10016
(212) 370-9000

TO:
THE CITY OF NEW YORK
1 Centre Street
New York, NY 10007

NEW YORK CITY POLICE DEPARTMENT
1 Police Plaza
New York, NY 10007

DETECTIVE JOHN DOE
C/O Midtown Manhattan
South Precinct
357 West 35th Street
New York, NY 10001